

EXHIBIT J



MEMORANDUM

To: AWP Counsel
From: Steve W. Berman
Date: August 17, 2005
Subject:

Yesterday Judge Saris issued her class certification order. It is 89 pages. Bottom line is if we come up with the right plaintiffs she will certify a nationwide class of Medicare Part B co-payers. She may also certify a nationwide class of TPP's for Part B and for non-Part B physician administered class (primarily those under 65 getting chemo).

She will not certify the self-administered drugs. We thought this was a longshot. With a bit more work we will be there and the claims should be worth several billion.

We now need to find plaintiffs who used Part B or physician administered drugs from any defendant. We need your help.

A list of the Phase I physician administered drugs is attached.

Also attached is the Court's order and a summary.

If you can identify a plaintiff who paid a co-pay for one of these drugs this would be helpful.

SWB:hw
Attachments